

IFW

PTO/SB/21 (02-04)

<b>PATENT TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/810,259
	Filing Date	March 26, 2004
	First Named Inventor	KLEIN, ENRIQUE J.
	Art Unit	Unassigned
	Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	020460-000760US

ENCLOSURES (Check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard PTO/SB/08A & PTO/SB/08B 0 Reference Copies		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</td></tr></table>			Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Townsend and Townsend and Crew LLP James M. Heslin Reg. No. 29,541
Signature	
Date	June 22, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Edward Masinas		
Signature		Date	June 24, 2004

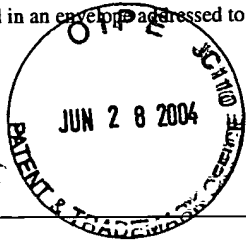
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PATENT  
Attorney Docket No.: 020460-000760US  
Client Reference No.: 130-6-D

On

6-24-04



TOWNSEND and TOWNSEND and CREW LLP

By:

*Edward Masinas*

Edward Masinas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

ENRIQUE J. KLEIN

Application No.: 10/810,259

Filed: March 26, 2004

For: RADIALLY EXPANSIBLE  
VESSEL SCAFFOLD AND ASSEMBLY  
FOR ITS DELIVERY

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

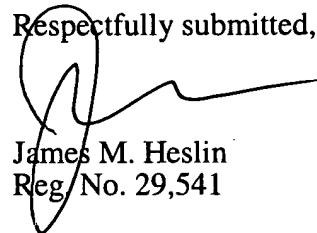
The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references except 25-26, 32, 39, 43, 46, 48-49, 51 and 52, can be found in Application No. 09/687,606, filed October 11, 2000 (Attorney Docket No. 020460-000710US). The remaining references, 25-26, 32, 39, 43, 46, 48-49, 51 and 52 are all U.S. Patents; accordingly copies are not included herewith.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

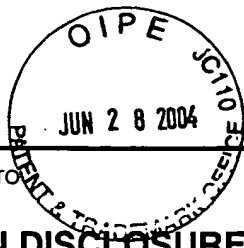
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



James M. Heslin  
Reg. No. 29,541

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
JMH:ewm  
60241222 v1



Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **3****Complete if Known**

Application Number	10/810,259
Filing Date	March 26, 2004
First Named Inventor	KLEIN, ENRIQUE J.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	020460-000760US

**U.S. PATENT DOCUMENTS+**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	1	4,564,014	01-14-1986	Fogarty et al.	
	2	4,733,665	03-29-1988	Palmaz	
	3	4,776,337	10-11-1988	Palmaz	
	4	5,064,435	11-12-1991	Porter	
	5	5,087,247	02-11-1992	Horn et al.	
	6	5,102,417	04-07-1992	Palmz	
	7	5,104,404	04-14-1992	Wolf	
	8	5,135,536	08-04-1992	Hillstead	
	9	5,195,984	03-23-1993	Schatz	
	10	5,228,441	07-20-1993	Lundquist	
	11	5,243,167	09-07-1993	Lundquist et al.	
	12	5,282,824	02-01-1994	Gianturco	
	13	5,328,467	07-12-1994	Edwards et al.	
	14	5,329,923	07-19-1994	Lundquist	
	15	5,334,145	08-02-1994	Lundquist et al.	
	16	5,354,308	10-11-1994	Simon et al.	
	17	5,383,892	01-24-1995	Cardon et al.	
	18	5,443,498	08-22-1995	Fontaine	
	19	5,449,373	09-12-1995	Pinchasik et al.	
	20	5,514,154	05-07-1996	Lau et al.	
	21	5,578,149	11-26-1996	DeScheerder et al.	
	22	5,591,197	01-07-1997	Orth et al.	
	23	5,591,230	01-07-1997	Horn et al.	
	24	5,593,442	01-14-1997	Klein	
	25	5,597,971	01-28-1997	Saito	
	26	5,607,442	03-04-1997	Fischell et al.	
	27	5,607,467	03-04-1997	Froix	
	28	5,634,928	06-03-1997	Fischell et al.	
	29	5,643,279	07-01-1997	Trotta	
	30	5,669,932	09-23-1997	Fischell et al.	
	31	5,693,066	12-02-1997	Rupp et al.	
	32	5,697,971	12-16-1997	Fischell et al.	
	33	5,725,572	03-10-1998	Lam et al.	
	34	5,741,327	04-21-1998	Frantzen.	
	35	5,755,776	05-26-1998	Al Saadon	
	36	5,755,781	05-26-1998	Jayaraman	
	37	5,766,238	06-16-1998	Lau et al.	
	38	5,776,161	07-07-1998	Globerman	
	39	5,807,404	09-15-1998	Richter	
	40	5,824,045	07-07-1998	Alt	
	41	5,893,868	09-15-1998	Hanson et al.	

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/810,259	
			Filing Date	March 26, 2004	
			First Named Inventor	KLEIN, ENRIQUE J.	
			Art Unit	Unassigned	
Examiner Name	Unassigned				
Sheet	2	of	3	Attorney Docket Number	020460-000760US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	42	5,922,021	07-13-1999	Jang	
	43	5,964,798	10-12-1999	Imran	
	44	5,980,531	03-14-2000	Goodin et al.	
	45	5,980,532	05-30-2000	Wang	
	46	6,010,530	01-04-2000	Goicoechea	
	47	6,036,725	08-08-2000	Avellanet	
	48	6,068,656	06-11-2002	Von Oepen	
	49	6,071,296	06-06-2000	Lashinski et al.	
	50	6,099,561	08-08-2000	Alt	
	51	6,174,329	01-16-2001	Callol et al.	
	52	6,402,777	06-11-2002	Globerman et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code* (if known)				
	53	CA	2079944		Apr., 1993			<input type="checkbox"/>
	54	EP	481365		Apr., 1992			<input type="checkbox"/>
	55	EP	540290		May., 1993			<input type="checkbox"/>
	56	EP	662307		Jul., 1995			<input type="checkbox"/>
	57	EP	750890		Jan., 1997			<input type="checkbox"/>
	58	WO	92/06734		Apr., 1992			<input type="checkbox"/>

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.  
60241222 v1

Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/810,259	
			Filing Date	March 26, 2004	
			First Named Inventor	KLEIN, ENRIQUE J.	
			Art Unit	Unassigned	
			Examiner Name	Unassigned	
Sheet	3	of	3	Attorney Docket Number	020460-000760US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	59	Hodgson, "Focal stenting: Does it make sense?" Catheterization and Cardiovascular Diagnosis (1997) 42:137.	
	60	Lowe et al., "New balloon expandable stent for bifurcation lesions" Catheterization and Cardiovascular Diagnosis (1997) 42:235-236.	
	61	Mudra et al., "One balloon approach for optimized Palmaz-Schatz Stent Implantation: The MUSCAT Trial" Catheterization and Cardiovascular Diagnosis (1997) 42:130-136.	
	62	Product Brochure for "Freedom.TM. Coronary Stent" by Global Therapeutics, Inc., 2150 West 6th Avenue, Broomfield, CO, 80020 USA, 3 pages total.	
	63	Product Brochure for "V-Flex.TM. Coronary Stent" by Global Therapeutics, Inc., 2150 West 6th Avenue, Broomfield, CO, 80020 USA, 2 pages total.	
	64	Product Brochure for "Tapered USCI Sprint.TM. Over-the-wire Balloon Dilation Catheter with Banka.TM. Tapered Balloon" by Bard, 1200 Technology Park Drive, Billerica, MA, 01821-7025 USA, 2 pages total.	
	65	Product Brochure for "Jostent.RTM. Plus and Jostent.RTM. Flex" by Jomed International AB, Drottninggatan 94, S-252 21 Helsingborg, Sweden, 4 pages total.	
	66	Product Brochure for "The Cat.TM." by CardioVascular Dynamics, Inc., 13844 Alton Parkway, Suite 140, Irvine, CA 92718 USA, 2 pages total.	
	67	Product Brochure for "Paragon Coronary Stent.TM." by Progressive Angioplasty Systems Canada Inc., 5250 Ferrier Street, Suite 406, Montreal, Quebec, H4P 1L4 Canada, 2 pages total.	
	68	Product Brochure for "FocusStent.TM." by CardioVascular Dynamics, Inc., 13844 Alton Parkway, Suite 140, Irvine, CA 92718 USA, 2 pages total.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.